

IN RE:

Donchez, Patrick Francis

Debtor(s)

Case No. 13-17473

Chapter **13**

CHAPTER 13 PLAN

☐ Original ☒ Amended Date: **April 1, 2014**.

YOUR RIGHTS WILL BE AFFECTED. You should read these papers carefully and discuss them with your attorney. Anyone who wishes to oppose any provision of this plan or any motion included below must file a timely written objection. This plan may be confirmed and the motions included below may be granted without further notice or hearing unless written objection is filed before the deadline stated on the separate Notice you should have received from the bankruptcy court. If you have a secured claim, this is notice that your lien may be voided or modified if you do not object to this plan.

THIS PLAN DOES NOT ALLOW CLAIMS. You must file a proof of claim to be paid under any plan that may be confirmed.

1. PAYMENT AND LENGTH OF PLAN

(a) Debtor shall pay \$ **398.34** per **month** to the Chapter 13 Trustee for **7** months followed by **\$573.41** for **53** months.

☒ Debtor will pay directly to the trustee

☐ A payroll deduction order will issue to the Debtor's employer:

(c) Other payments to trustee: Debtor shall submit to the Trustee all tax refunds received, if any, for the length of the Chapter 13 plan. The tax refunds shall be used to pay towards unsecured creditors.

(d) Total amount to be paid to Trustee shall be not less than **\$ 30,529.27**

2. PRIORITY CLAIMS (INCLUDING ADMINISTRATIVE EXPENSES AND SUPPORT)

All allowed priority claims will be paid in full unless creditor agrees otherwise:

Creditor	Type of Priority	Scheduled Amount
Borough Of Catasauqua/Municipal Blvd	Taxes	\$2,000.00
The Law Offices of Everett Cook, P.C.	Attorney's Fees	\$1,000.00

3. SECURED CLAIMS:

(a) Trustee shall pay allowed secured claims.

Creditor	Collateral	Scheduled Debt	Value	Interest Rate	Monthly Payment
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(b) Debtor surrenders or abandons the following collateral. Upon confirmation, the stay is lifted as to surrendered or abandoned collateral.

Creditor	Collateral to be Surrendered or Abandoned
None	

4. UNSECURED CLAIMS

(a) **Not Separately Classified**. Allowed non-priority unsecured claims shall be paid:

☒ to be distributed pro rata.

☐ Not less than percent.

☐ Other: _____.

(b) Separately Classified Unsecured Claims

Creditor	Basis for Classification	Treatment	Amount
None			

5. CURING DEFAULT AND MAINTAINING PAYMENTS

(a) Trustee shall pay allowed claims for arrearages, and Trustee shall pay regular postpetition contract payments to these creditors:

Creditor	Collateral or Type of Debt	Estimated Interest Rate Arrearage (arrearage)	Monthly Arrearage Payment	Regular Monthly Payment
None				

(b) Trustee shall pay allowed claims for arrearages, and Debtor shall pay regular postpetition contract payments directly to these creditors:

Creditor	Collateral or Type of Debt	Estimated Interest Rate Arrearage (arrearage)	Monthly Arrearage Payment	Regular Monthly Payment
Loancare Servicing	Residence	\$24,934.28		1550.00

6. EXECUTORY CONTRACTS AND UNEXPIRED LEASES

Executory contracts and unexpired leases are assumed or rejected as follows:

Creditor/Lessor	Property Description	Assume/Reject
None		

7. OTHER PLAN PROVISIONS AND MOTIONS

(a) **Motion to Avoid Liens under 11 U.S.C. § 522(f).** Debtor moves to avoid the following liens that impair exemptions:

Creditor	Collateral	Amount of Lien to be Avoided
None		

(b) **Lien Retention.** Except as provided above in Section 5, allowed secured claim holders retain liens until:

- ☐ Liens are released at discharge.
☒ Liens are released upon payment of allowed secured claim as provided above in Section 3.
☐ Liens are released upon completion of all payments under the plan.

(c) **Vesting of Property of the Estate.** Property of the estate shall revert in Debtor:

- ☒ Upon confirmation
☐ Upon discharge
☐ Other: _____.

(d) **Payment Notices.** Creditors and lessors provided for above in Sections 5 or 6 may continue to mail customary notices or coupons to the Debtor or Trustee notwithstanding the automatic stay.

(e) **Order of Distribution.** Trustee shall pay allowed claims in the following order:

Trustee Commissions
Other Administrative Claims
Priority Claims
Secured Claims
General Unsecured Claims

(f) **Other Plan Provisions:** Debtor is surrendering the property located at 2024 North Lehigh Avenue, Whitehall PA. By surrendering this property, Secured claims number 2, 3, 4, 5 and 6 become unsecured as to Debtor. Debtor is also surrendering the 1994 Jeep that is listed as the security interest for Claim number 7 making that claim unsecured.

Dated: March 1, 2014

/s/ Everett Cook

Signature of Attorney

/s/ Patrick Francis Donchez

Signature of Debtor

Signature of Spouse (if applicable)